



FAIR POLITICAL PRACTICES COMMISSION

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March 8, 2010

Stephen J. Kaufman

The Kaufman Legal Group

✓ o/b/o Californians For A Better Way

REDACTED

Rosana Flores, Treasurer

REDACTED

Gregory Luke

Strumwasser & Woocher LLP

o/b/o Christopher Robles, Assistant Treasurer

REDACTED

RE: Warning Letter

FPPC Case No. 05/166: Californians for A Better Way, ID#1238661, Rosana Flores, Treasurer, and Christopher Robles, Assistant Treasurer

Dear Messrs. Kaufman and Luke and Ms. Flores:

The Fair Political Practices Commission ("Commission") enforces the provisions of the Political Reform Act (the "Act") found in Government Code Section 81000, and following. As you may be aware, the Enforcement Division of the Commission was investigating the activities of the Californians for A Better Way Committee ("Committee") as a result of a pro-active investigation begun by the Commission.

The Commission has completed its investigation into the facts of this case. Specifically, the Commission has determined that the Committee, its treasurer, and its assistant treasurer failed to disclose: two expenditures of over \$100 to Western Mailing for postage and one contribution of \$1,000 from Ramon Moreno during the first half of 2003, and two expenditures of over \$100 - one to Political Data and one to Smith Kaufman LLC and one contribution of \$1,000 from Kathleen Hostert during the second half of 2003. During 2003, the Committee received \$74,000 in monetary contributions and made over \$65,000 in expenditures.

The Act provides that all expenditures and contributions must be reported on the campaign statements which correspond with the date expended or received. (Section 84211.) However, in this case, the amount of expenditures and contributions not reported was a small percentage of the total contributions and expenditures received and made by the Committee. As a result, the Commission has decided to close this case with a warning letter.

This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future could result in monetary penalties up to \$5,000 per violation.

A warning letter is a Commission resolution without administrative prosecution or fine. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the Commission will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the Commission's website ten (10) days from the date of this letter.

If you have any questions regarding this matter, please feel free to contact me at 916-322-5660.

Sincerely,

REDACTED

✓ Galena West
Senior Commission Counsel
Enforcement Division